

**East Side Highway District Board of Commissioners
December 19, 2022 Board Meeting Minutes and Public Hearing**

1. Call to Order
Chairman Christensen called the meeting to order at 9:00

2. Roll Call
Present: Commissioner Christensen, Commissioner Sieverding
Excused: Commissioner Addington
District Professional Staff: Director of Highways Weymouth, Deputy Director Yerian, Clerk Ham Angela Comstock P.E. with JUB Engineering
Guests: Jacob Kammers, Greg Beal, David Willard, Luemarie Lovey, Britt Madison, Brian Farley, Greg Delavan, Jeff Marsan

3. Approval of Agenda
Commissioner Sieverding moved for approval of the December 19th meeting agenda. Commissioner Christensen seconded the motion, and the motion carried.
Declared Conflicts of Interest: none

4. Black Rock Road Validation Public Hearing: Chairman Christensen re-opened the public hearing at 9:04 a.m. on the validation of Black Rock Road within Township 48 North Range 1 West, lying in the Northwest Quarter of Section 7, the Northeast Quarter of Section 7, the Southeast Quarter of Section 7, the Northwest Quarter of Section 17, the Southwest Quarter of Section 17, the Southeast Quarter of Section 17, the Northeast Quarter of Section 18, the Northeast Quarter of Section 20, and Section 21 as set forth in Viewers Report No. 162 (Dierks Road) and various subsequent right-of-way deed grants. Director Weymouth reported that Attorney Weeks and staff are reviewing additional information submitted by the applicant in the last several weeks.
The public hearing comment sheets received were submitted to the record as **Exhibit A**
At 9:07, Chairman Christensen asked for public testimony.
Petitioner Jacob Kammers 2151 W Settlement Road Priest River, Idaho testified. Mr. Kammers answered questions from the Board of Commissioners.
Lumarie Lovey 19257 S. Black Rock Road Cataldo, Idaho testified in opposition to the petition. Dave Willard 6705 W Silverado Rathdrum, Idaho testified in opposition to the petition.
Greg Beal 19561 Black Rock Road Cataldo, Idaho testified in opposition to the petition.
Britt Madison Representing Stimson Lumber 7600 N. Mineral Drive Ste 400 Coeur d Alene, Idaho 83815 testified in a neutral position.
Petitioner Jacob Kammers' rebuttal discussed IDL easements and the reciprocal agreement between residents.
At 9:34, with no other testimony requests, Chairman Christensen closed the public testimony portion of the hearing, and the Board proceeded to deliberations.
Action: At 10:40, Commissioner Sieverding moved to continue the Black Rock Validation to March 20, 2023 at 9:00 a.m. Commissioner Christensen seconded the motion. With no further discussion, the motion carried.

5. Public Comment: Resident Jeff Marsan addressed the Board concerning the maintenance of some of the roads he travels in sub-district 1, particularly, Sunnyside and Yellowstone Trail Roads. He mentioned that he had a close encounter with one of our plows while driving his truck with an extra

wide blade with wings on Yellowstone Trail Road and asked what the plans were to widen the road. Chairman Christensen acknowledged the deterioration and explained that our goal is to improve the roads, not just continue patching roads that need rebuilt. We were just approved for a grant for Sunnyside, and significant work is planned for Yellowstone through Western Federal Lands in a series of phases.

6. Approval of Minutes

Action: Commissioner Sieverding motioned to approve the November 14, 2022 Regular Board Meeting Minutes as presented. Commissioner Christensen seconded the motion, and the motion carried.

7. Treasury Report

Action: Commissioner Sieverding moved to approve the Treasury Report. Commissioner Christensen seconded the motion, and the motion carried. The November 2022 Treasury Report Cash Fund Balances are as follows:

Petty Cash	\$200.00
Umpqua Checking	\$124,990
Less Assured Macro-Balance	(1,500.00)
State Treasury Fund 891	\$1,837,312
CDA Lake Dr. DBF Fund 412	\$1,581,167
Traffic Mitigation DBF Fund 369	\$246,774
Total Funds	\$3,788,943

8. New Business

A. JUB Project Status Update: Engineer Comstock reviewed the current project and task status. Commissioner Sieverding prompted a discussion about the right of way module and what data will be housed and maintained through that program. Director Weymouth said he and Secretary Dixon recently attended training, and the program is being transitioned to staff. The District’s right-of-way map hasn’t been updated since 2010, and that task is also being addressed.

B. MIN22-0038 Hunstman Estates: The proposal creates two additional lots adjacent to private roads, which gain access via Buckboard Road, a publicly maintained road.

Action: Commissioner Sieverding motioned to approve the District’s comment letter with the conditions of approval and directed the Director to sign the mylars, providing no changes are made to the applicant’s proposal. Commissioner Christensen seconded the motion, and the motion carried.

C. MIN22-0048 The Lodges at Gozzer: The proposal creates four lots on an undeveloped parcel adjacent to Gozzer Road, a publicly maintained road.

Action: Commissioner Sieverding motioned to approve the District’s comment letter with the conditions of approval and authorized Director Weymouth to sign the mylars, providing no changes are made to the applicant’s proposal. Commissioner Christensen seconded the motion, and the motion carried.

D. CON22-0002 Gozzer Flats Condominium Amendment: Action: Commissioner Sieverding motioned to approve the District’s comment letter with the conditions of approval and authorizing

Director Weymouth to sign the mylars, providing no changes are made to the applicant's proposal. Commissioner Christensen seconded the motion and the motion carried.

- E. Wardian Use of Right of Way Agreement: Applicant Pat Wardian is requesting use of the area between Centennial Trail and the high water mark adjacent to his residence on Silver Beach Road. His proposal includes dock and bank stabilization improvements. The Board would like to consult Attorney Weeks before moving forward.
 - F. Resolution 2022-08 Grant Match Commitment: A STP Rural Project to improve intersections on Sunnyside Road at Ponderosa Road and Mullan Trail Road is estimated to cost \$1.3M. The District's match requirement of \$95,420. The improvements would provide significant safety enhancements to these intersections. Action: Commissioner Sieverding motioned to approve Resolution 2022-08, committing the District to the grant match of \$95,420. Commissioner Christensen seconded the motion, and the motion carried.
 - G. 2022 Annual Road and Street Report: Due to the Idaho State Controller's Office by December 31st, the Annual Road and Street Report compiles the District's income and expense data from the fiscal year and categorizes it in a meaningful manner to legislators. Action: Commissioner Sieverding motioned to approve the report as presented. Commissioner Christensen seconded the motion, and the motion carried.
 - H. Executive Session: Motion by Commissioner Sieverding to enter Executive Session as allowed by Idaho Code 74-206 (f) to discuss existing litigation for Boothe Park at 10:15 a.m. Commissioner Christensen seconded the motion, and the motion carried.
The following roll call was taken:
Commissioner Sieverding – Yes
Commissioner Christensen -Yes
The Executive Session concluded at 11:10 a.m. and the regular meeting resumed.
Action: Chairman Christensen motioned to schedule a Special Call Meeting for January 5, 2023 at 9: a.m. Commissioner Sieverding seconded the motion, and the motion carried.
9. Old Business: New #3 Item: Commissioner Sieverding asked that traffic counts and road mileage be added to the District's GIS .
10. Correspondence: (No discussion)
11. Staff Reports
- A. Clerk Ham reported that our Fixed Asset Policy, initially adopted in 2008, established a \$5,000 threshold. Based on professional recommendations and considering the significantly increased cost of equipment and materials, she recommends the Board consider raising the threshold to at least \$7,500. Chairman Christensen asked if there was any harm in increasing it to \$10,000. A draft of the updated policy will be presented to the Board months this spring.

B. Director of Highways Weymouth:

- He noted that the winter maintenance budget is already half used.
- The January workshop will discuss various topics such as our budget, equipment purchases, and summer workload.
- Director Weymouth reported that having an experienced mechanic like Doug has been a huge help.
- The 2021 data has been uploaded in Pubworks, and staff is now entering 2022 data. Ongoing staff training on the various applications continues.
- Canyon Road Bridge: A Scope of Work kickoff meeting is planned for the 2026 construction phase.
- Springston Bridge will most likely be removed in 2023.

C. Deputy Yerian

- Mechanic Combs has worked out most of the 2008 Western Star kinks.
- He is actively working on the 2023 chip seal list and reported we have a very ambitious list planned.

D. Commissioners:

Commissioner Sieverding, earlier in the meeting, emphasized the need for updated information to be added to the GIS program. The request will be added to the Old Business list. She said the roads looked good, and she appreciates the crew's hard work.

Commissioner Christensen recently attended a meeting that discussed the grants in our area, one of them being the Sunnyside Road grant. There may be additional funds for phosphorus research and testing and plan to reconvene in March. He added that the HB 772 funds are coming in strong this year, so there is a chance we will receive more funding in July (after the State of Idaho reaches its cap).

12. Adjournment: There being no further business to come before the Commissioners, the Chairman adjourned the meeting at 12:00 p.m.

Chairman Christensen
Sub District 1 Commissioner

(Excused)
Commissioner Addington
Sub District 3 Commissioner

Angela Sieverding
Sub District 2 Commissioner

Rosie Ham, District Clerk